

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance or into better condition for appeal.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-5 are amended, without prejudice. Claims 6-21 are newly added. No new matter is added by these amendments.

Claims 1-5 were rejected under 35 U.S.C. 102(e) allegedly as being anticipated by Sezan et al. (U.S. Patent No. 6,236,395 B1). Applicants disagree.

Claim 1, recites in part, “An information processing apparatus comprising...first display control means for controlling the display of one or more thumbnails that are permitted to overlap in a predetermined shape and non-sequential manner...” (Underlining and Bold added for emphasis.)

It is respectfully submitted that the portions of Sezan relied upon by the Examiner do not teach the above-recited feature of claim 1.

Sezan relates to a system for audiovisual information browsing, filtering, searching, archiving and personalization (column 1, lines 7-11). However, Sezan does not teach or suggest one or more thumbnails that are permitted to overlap in a predetermined

00192136

shape and non-sequential manner, as instantly claimed. The present invention allows a user to browse, filter and search through a plurality of thumbnails that are partially overlapped and that are arranged in predetermined shapes (e.g., line, circle, ellipse, etc.). Sezan clearly does not illustrate this feature in Figs. 4, 5 and 7-12. Therefore, the instant claims are believed to be distinguishable from Sezan for at least the reasons stated above.

For reasons similar to those described above, claims 3-5 are also believed to be distinguishable from Sezan.

Furthermore, regarding dependent claim 2, the Examiner indicated that Sezan teaches thumbnails displayed “in a semitransparent frame or on a semitransparent background” at column 8, lines 30-55, column 9, lines 1-26, 60-67, column 10, lines 1-37, column 13, line 65 to column 14, line 50 and in Figs. 4-5 and 7-12. Applicants respectfully disagree. Neither the figures, nor the portions relied upon by the Examiner illustrate or mention “semitransparent” properties of frames or backgrounds or any other user interface. Therefore, claim 2 is believed to be distinguishable from Sezan.

Applicant therefore respectfully requests that the rejection of claims 1-5 under 35 U.S.C. §102(e) over Sezan be withdrawn.

Applicant has further added new claims 6-21. Applicant submits that the 35 U.S.C. 102(e) rejection relied upon by the Examiner does not apply to claims 6-21, and submits that the rejection of these claims over 35 U.S.C. 102(e) would be improper.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid
herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 
Samuel H. Megerditchian
Reg. No. 45,678
Tel. (212) 588-0800

00192136